

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:99cr111

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
)
 MANNING SWEAT.)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on the Government's Motion for Extension of Time [Doc.25], seeking an additional thirty (30) days within which to respond to the Defendant's Motion for Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) [Doc.24].

Defendant filed a motion for reduction of sentence *pro se* on January 8, 2008, [Doc.23], to which motion the Government did not respond. Defendant thereafter filed a similar motion through counsel on March 17, 2008. [Doc.24].

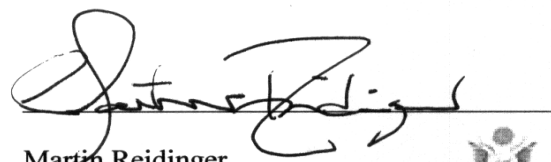
In support of its Motion for Extension of Time, the Government states that it has received more than 330 motions seeking reduced sentences as

a result of the recent amendments to the Sentencing Guidelines pertaining to crack cocaine offenses, and that in order to address these motions while meeting deadlines on other post-conviction matters as well as appeals additional time is needed.

In the Motion for Extension of Time that is at hand herein, if the Defendant is eligible for a reduction, he would likely be released very quickly upon the disposal of his motion. As such, an extension of thirty days would be unreasonable. It appears that the Probation Office will issue its revised Presentencing Investigation Report within the next few days. It is important that the Government be able to state its position to the Court with regard to the Defendant's motion within that same time frame.

IT IS THEREFORE ORDERED, that the Government's Motion for Extension of Time [Doc.25] is **GRANTED IN PART AND DENIED IN PART**, in that the Government is allowed through and including April 16, 2008, within which to respond to the Defendant's Motion for Reduction of Sentence in this matter.

Signed: April 9, 2008


Martin Reidinger
United States District Judge



